

SENATE—Tuesday, October 9, 2001

The Senate met at 9:30 a.m. and was called to order by the Honorable HARRY REID, a Senator from the State of Nevada

PRAYER

The Chaplain, Dr. Lloyd John Ogilvie, offered the following prayer:

Almighty God, we come to You as intercessors for our beloved Nation at this crucial time of confrontation with the evil forces of terrorism in the world. May this war be decisive, undergirded by Your mighty power and lead toward the extrication of terrorism from the world. We intercede for our President George W. Bush, Colin Powell, Don Rumsfeld, General Richard Myers, General Tommy Franks, Condeleezza Rice, John Ashcroft, and all who seek Your guidance and supernatural power for their leadership in this just war. We pray for Tom Ridge as he assumes his new responsibilities to coordinate all who must work cooperatively for the protection of our land against further terrorist attacks. And Lord, we ask for a special measure of Your wisdom and strength for TOM DASCHLE, TRENT LOTT, HARRY REID, and DON NICKLES as they seek to lead this Senate in unity, in support of our Armed Forces. Protect the men and women now in harm's way both in the strategic bombing and the humanitarian effort. Grant Your peace to the American people, many of whom are gripped with unhealed grief over September 11 and now feel panic over the danger of terrorist attacks.

Dear Father, flood our hearts with Your Spirit, filling us with trust in You. May patriotism for our Nation, and pertinacity to win this battle be the antidote to fear. In the Name of our Lord and Saviour. Amen.

PLEDGE OF ALLEGIANCE

The Honorable HARRY REID led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. BYRD).

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, October 9, 2001.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable HARRY REID, a Senator from the State of Nevada, to perform the duties of the Chair.

ROBERT C. BYRD,
President pro tempore.

Mr. REID thereupon assumed the chair as Acting President pro tempore.

RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, leadership time is reserved.

MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Under the same previous order, there will now be a period for the transaction of morning business not to extend beyond the hour of 10 a.m. with Senators permitted to speak therein for up to 5 minutes each. But under the previous order, the Senator from West Virginia, Mr. BYRD, is recognized to speak for up to 30 minutes.

The Senator from West Virginia is recognized.

Mr. BYRD. Mr. President, I thank the Chair.

UNDERTAKING A DANGEROUS MISSION

Mr. BYRD. Mr. President, this morning I have come to the Senate floor to talk about our late friend and Senate majority leader, Mike Mansfield. But before I do, I shall take a moment to recognize the efforts of the men and women of our Armed Forces who have undertaken a dangerous mission in the past few days. They are fighting to protect our Nation's interests and its security. They are working to ensure the freedom of others across the globe, never wavering in their duty. Throughout America's history, our sons and daughters have always been ready to answer that call to duty. In particular, West Virginians have a proud and enviable record of service to our country in perilous times of war and conflict. This time is no different; mountaineers once again are playing an important role in the defense of our country.

Our soldiers, sailors, and airmen are now engaged in what could be a long battle. In locales stretched around the world, they will put themselves in harm's way. They will fight to protect our freedoms and the freedoms of people around the world. We in the Senate

and House of Representatives will make sure they have the resources they need in order to be successful, but until their return home they and their families will be in our thoughts and prayers. May God watch over them and bring them home safely in the end.

SENATE MAJORITY LEADER MIKE MANSFIELD

Mr. BYRD. Mr. President:

When I remember all
The friends, so link'd together,
I've seen around me fall
Like leaves in wintry weather,
I feel like one
Who treads alone
Some banquet-hall deserted,
Whose lights are fled,
Whose garlands dead,
And all but he departed!
Thus, in the stilly night,
'Ere slumber's chain has bound me,
Sad Memory brings the light
Of other days around me.

Mr. President, in June 1970, it was my honor and privilege as the then Secretary of the Senate Democratic party conference to go to this floor and make the announcement that Senator Mike Mansfield had become the longest serving majority leader in history.

Today, it is with sadness that I come to the Senate floor to speak of the passing on Friday last of Mike Mansfield, and of his service to this Chamber and to our country.

Mike Mansfield personified both America and the American dream. He was born in New York City, the son of Irish immigrant parents, in 1903, the year in which the Wright Brothers made their historic flight. He was raised in his beloved Montana. When he was only 14 years of age, without completing the 8th grade, he served first in the U.S. Navy during World War I, and eventually in the Army and the Marine Corps—at that time, all of the branches of the U.S. military. After the war, he became a miner, then a mining engineer.

At 30 years of age, he was finally able, with the constant help of his devoted wife Maureen, to obtain the first of several college degrees that would enable him to become a college professor of history and political science for almost a decade.

In 1942, he was first elected to the U.S. Congress and served five terms in the House of Representatives. In 1952, Mike was elected to the Senate—that was the year in which I was elected to the House of Representatives—and began a remarkable quarter-of-a-century of service in this Chamber, a career that included being elected Senate majority whip in 1957.

In January 1961, Senator Mansfield was elected Senate majority leader, and he served in that capacity until 1977—one of the most turbulent periods in American history. It was a time of assassinations and riots, marches and demonstrations, war and anti-war protests.

Nevertheless, under his leadership—a leadership that emphasized cooperation, honor, fairness, integrity, and negotiation—and a leadership style marked by personal conviction and a loyalty to lasting principles—the Senate was a place of remarkable legislative accomplishments, including the Great Society legislation of the mid 1960's. That was one of the most productive periods of Congress in American history, and Senate Majority Leader Mansfield certainly had an important role in it.

I worked shoulder to shoulder with Mike Mansfield for 10 years on this floor, where I served as secretary of the Democratic conference for 4 years and as Democratic whip for 6 years.

After leaving the Senate, he continued his public career by serving as the American Ambassador to Japan under Presidents Carter, Reagan, and Bush. Mansfield's 12 years as Ambassador to Japan are the longest in history.

Mike Mansfield of Montana was a man of outstanding achievements, a remarkable Senator, and an outstanding leader.

Mr. President, it was on last Friday, that the pallid messenger with the inverted torch beckoned Mike Mansfield to depart this life. We can believe that he awakened to see a more glorious sunrise with unimaginable splendor of a celestial horizon, and that he yet remembers us as we remember him, for we have the consolation that has come down to us from the lips of that ancient man of Uz, whose name was Job: "Oh that my words were written in a book and engraved with an iron pen, and lead in the rock forever, for I know that my redeemer liveth and that in the latter day he shall stand upon the earth."

Mike Mansfield has now passed from this earthly stage and gone on to his eternal reward. The links which connect the glorious past with the present have been forever sundered.

Passing away!

'Tis told by the leaf which chill autumn breeze,

Tears ruthlessly its hold from wind-shaken trees;

'Tis told by the dewdrop which sparkles at morn,

And when the noon cometh

'Tis gone, ever gone.

I always held Mike Mansfield in the highest esteem. He was a gentleman with great courage and unwavering patriotism, a wise and courageous statesman, affable in his temperament, and regarded as one of the outstanding men in the Senate. He was both morally and intellectually honest and that is saying

a great deal in these times. He was simple in his habits and devoid of all hypocrisy and deceit. There was not a deceitful cell in his body. He never resorted to the tricks of a demagog to gain favor and, although he was a partisan Democrat, he divested himself of partisanship when it came to serving the best interests of his country. May God rest his soul.

The potentates on whom men gaze
When once their rule has reached its goal,
Die into darkness with their days.
But monarchs of the mind and soul,
With light unfailing, and unspent,
Illumine flame's firmament.

Socrates, Plato, Aristotle, Cicero, and other great Grecian and Roman philosophers, by pure reason and logic arrived at the conclusion that there is a creating, directing, and controlling divine power, and to a belief in the immortality of the human soul. Throughout the ages, all races and all peoples have instinctively so believed. It is the basis of all religions, be they Islamic, Hebrew, Christian, or heathen. It is believed by savage tribes and by semi-civilized and civilized nations, by those who believe in many gods and by those who believe in one God. Agnostics and atheists are, and always have been, few in number. Does the spirit of man live after it has separated from the flesh? This is an age-old question. We are told in the Bible that when God created man from the dust of the ground, "He breathed into his nostrils the breath of life, and man became a living soul."

When the serpent tempted Eve, and induced her to eat the forbidden fruit of the tree of knowledge, he said to her, "ye shall not surely die."

Scientists cannot create matter or life. They can mold and develop both, but they cannot call them into being. They are compelled to admit the truth uttered by the English poet Samuel Roberts, when he said:

That very power that molds a tear
And bids it trickle from its source,
That power maintains the earth a sphere
And guides the planets in their course.

That power is one of the laws—one of the immutable laws of God, put into force at the creation of the universe. From the beginning of recorded time to the present day, most scientists have believed in a divine creator although I read not too long ago that only about 40 percent of the scientists in this country believe in a creator. I have often asked a physician:

Doctor, with your knowledge of the marvelous intricacies of the human body and mind, do you believe that there is a God, a Creator?

Not one physician has ever answered, "No."

Each has answered, readily and without hesitation, "Yes." Some may have doubted some of the tenets of the theology of orthodoxy, but they do not deny the existence of a creator. Science is the handmaiden of true reli-

gion, and confirms our belief in the Creator and in immortality.

It was William Jennings Bryan who said:

If the Father deigns to touch with divine power the cold and pulseless heart of the buried acorn and to make it burst forth from its prison walls, will He leave neglected in the earth the soul of man made in the image of his Creator?

As an aside let me say that I always grow a few tomatoes—about four vines. This year I planted four vines, and I had more than 400 tomatoes off those four vines. Sometimes I plant the Early Girl, sometimes I plant Big Boy or Better Boy. I grow enough tomatoes to furnish my wife and myself, also to supply our older daughter and her husband. Our grandsons and our granddaughters and their spouses live farther away, but sometimes they have some tomatoes for them.

Whoever plants a seed beneath the sod
And waits to see it break away the clod
Believes in God.

As Longfellow said:

It is not all of life to live, nor all of death
to die. Rather, as he says:

There is no death! What seems so is transition;

This life of mortal breath
Is but a suburb of the life Elysian,
Whose portal we call death.

Life is but a narrow isthmus between the boundless oceans of two eternities. All of us who travel that narrow isthmus today, must one day board our little frail barque and hoist its white sails for the journey on that vast unknown sea where we shall sail alone into the boundless ocean of eternity, there to meet our Creator face to face in a land where the roses never wither and the rainbow never fades. Mike Mansfield has gone on to meet his pilot face to face. He was 98. I am but 84—within 42 days I will reach my 84th birthday. And it won't be long until I, too—and then so will you, and so will you—meet our pilot face to face.

Sunset and evening star,
And one clear call for me
And may there be no moaning of the bar
When I put out to sea,
But such a tide as moving seems asleep,
Too full for some and foam,
When that which came from out the boundless deep
Turns again home.

Twilight and evening bell
And after that the dark,
And may there be no sadness of farewell
When I embark,
For though from out our borne of time and place,

The flood may bear me far
I hope to see my Pilot face to face
When I have crost the bar.

To that borne, from which no traveller ever returns, Mike Mansfield has now gone to be reunited with his wife Maureen and others who once trod these marble halls, and whose voices once rang in this Chamber.

I can hear them yet: Hubert Humphrey, Paul Douglas, Allen Ellender,

Richard B. Russell—who sat at this desk—George Aiken, Everett Dirksen, Norris Cotton, “Scoop” Jackson—their voices in this earthly life have now been forever stilled.

Mike Mansfield has crossed the Great Divide. Of that illustrious man who sat in this Chamber when he and I were young Senators, only STROM THURMOND and I remain here today.

They are drifting away, these friends of old Like leaves on the current cast; With never a break in their rapid flow We count them, as one by one they go Into the Dreamland of the Past.

Erma and I extend our condolences to Mike's daughter, Ann, and to others of his family. May his soul rest in peace.

Madam President, I yield the floor.
The PRESIDING OFFICER (Mrs. LINCOLN). The Senator from Montana.

THE “MIKE” I KNEW

Mr. BURNS. Madam President, I cannot find the words I want for Mike Mansfield—their meaning—and put them together like our good friend from West Virginia. He knew Michael almost as long as I did.

But Mike has moved on. His work here on Earth is done. His legacy will live as it will be placed among the archives as majority leader of the Senate, as a Member of the House of Representatives, and as an Ambassador to Japan. As a nation, we have been graced and blessed by great leaders who rose to uncommon levels in times of national crises. We, the Members of this Senate, are the benefactors of his stewardship. A thankful nation is the benefactor of his wisdom.

I now occupy the seat once held by Mike. Thirteen years ago, I came to this body, and for 13 years Mike and I had breakfast every Wednesday morning the Senate was in session. He seldom missed. Those conversations were wonderful, and they were also very insightful. They were full of wisdom, information, and insight.

Senator BYRD described him as a nonpartisan. That is 95 percent correct. But one cannot work in this system and not have some partisan leanings.

No person in Washington, DC, was kinder or more helpful to a newly elected Member of the Senate than Mike Mansfield—even being on the other side of the aisle. I shall never be able to thank him enough or forget what he did for me.

Senator, Ambassador, Mike Mansfield, whichever you prefer—he was a good and faithful servant of the Nation and of the people of Montana whom he represented. His long lifespan was some 98 years. That gave him a perspective on life and history that very few of us will ever understand or attain. His wise eyes had seen and experienced so much of this country's history. In his lifetime, a nation—think about this—went from horseback to the Moon. Think of it.

He was an honest man. He lied a little about his age to get into World War I. He came home and worked in the mines of Butte and Anaconda. One has to read the history of Montana to know that was not easy work, and very dangerous.

His beloved wife Maureen, who preceded him in death just a year ago, pushed him for education to better himself and to lift himself from the mines. He experienced the rigors of the worst depression in the history of the United States—what lessons that taught many of us—and the experience of World War II. If that weren't enough, the era of Korea, Vietnam, and the cold war, when two powers looked each other in the eye until one blinked.

During tumultuous times, the United States has been blessed with common men and women who rose to uncommon levels of leadership when they were tested and asked to do so—men and women with a hidden character of steel, vision, compassion, and integrity. Mike Mansfield was one who, when called, responded to that level demanded by the day.

Looking back at those conversations, they were mostly events and happenings of the Senate. He loved to tell stories of the giants of their day. That gave me great insight of this body, and his advice was seldom, if ever, wrong.

The Mike I knew will be with me as long as I shall breathe. I thank God every day that our Nation's demands were answered by men and women such as Mike Mansfield.

The best advice that was ever given to me by Senator Mansfield was short and very pointed.

By the way, I used to work in the press corps in Montana when Michael was a Member of this body. The producer of the news show would say: Go out and interview Senator Mansfield. We need about a 15-minute interview. That meant you had better have about 40 questions, because the answers were very short.

Yes, noble—little possible doubt. He didn't embellish much. But the best advice he ever gave me was short and very pointed. He said one time—and I will never forget it—“At the end of the day, it will be courage and vision that will sustain this Republic for generations to come.” Courage and vision to sustain this Republic for the generations to come.

This Nation has not only been blessed by great topography, but with a great climate and great natural resources from the mountains in the East, across the Ohio, the Missouri, and Mississippi valleys to the mountains of the West, to the high prairies and the Deep South. It has always produced men and women who, when tested, showed the steel of character and vision.

Thank God he was a Member of this body. And might all of us live for the

day when we can even stand in measure with him.

Madam President, I yield the floor. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. REID. Madam President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

MEASURES PLACED ON THE CALENDAR—S. 1499 and S. 1510

Mr. REID. Madam President, I understand the following bills are at the desk, having been read the first time: S. 1499 and S. 1510.

I ask unanimous consent that it be in order, en bloc, for these two bills to receive a second reading, and I then object to any further consideration.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will read the titles of the bills.

The legislative clerk read as follows:

A bill (S. 1499) to provide assistance to small business concerns adversely impacted by the terrorist attacks perpetrated against the United States on September 11, 2001, and for other purposes.

A bill (S. 1510) to deter and punish terrorist acts in the United States and around the world, to enhance law enforcement investigatory tools, and for other purposes.

The PRESIDING OFFICER. Under the rule, the bills will be placed on the calendar.

AVIATION SECURITY ACT—MOTION TO PROCEED

The PRESIDING OFFICER. Under the previous order, the Senate will now resume consideration of the motion to proceed to S. 1447, which the clerk will report.

The legislative clerk read as follows:

A motion to proceed to the bill (S. 1447) to improve aviation security, and for other purposes.

Mr. REID. Madam President, I suggest the absence of a quorum and ask unanimous consent that the time be equally charged to both leaders on this matter.

The PRESIDING OFFICER. Without objection, it is so ordered.

The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. REID. Madam President, I ask unanimous consent the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.